


FOLEY & LARDNER LLP
ATTORNEYS AT LAW11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COMRECEIVED
CENTRAL FAX CENTER
NOV 11 2005

FACSIMILE TRANSMISSION

Total # of Pages 3 (including this page)

TO:	PHONE #:	FAX #:
Wesley D. Markham Group Art Unit 1762 U. S. Patent and Trademark Office	(571) 272-1422	(571) 273-8300

From : Steven C. Koerber, Ph. D. 
Email Address : skoerber@foley.com
Sender's Direct Dial : 858.847.6725
Date : November 11, 2005
Client/Matter No : 029319-0201
User ID No : 4606

MESSAGE:

Re: U.S. Patent Application No. 10/811,065

Attachment:

Petition to Make Special Under 37 C.F.R. 1.102(c) and Statement Under 37 C.F.R. 1.102 (2 pgs.)

If there are any problems with this transmission or if you have not
received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Cover Page 1 of 1

FOLEY & LARDNER LLP

DLMR_277382.1

PAGE 1/3 * RCVD AT 11/11/2005 6:41:57 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-6/27 * DNIS:2738300 * CSID: * DURATION (mm-ss):01-28

**RECEIVED
CENTRAL FAX CENTER****NOV 11 2005** Atty. Dkt. No. 029319-0201***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Jay A. Haines
Title: INFRARED REFLECTIVE WALL
PAINT
Appl. No.: 10/811,065
Filing Date: 3/26/2004
Examiner: Markham, Wesley D.
Art Unit: 1762

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Mercedes F. Dypasupil (Printed Name) <i>Mercedes F. Dypasupil</i> (Signature) November 11, 2005 (Date of Deposit)

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. 1.102(c) and**STATEMENT UNDER 37 C.F.R. 1.102**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Patent and Trademark Office under 37 C.F.R. §1.102(c) to make special the instant application. This petition is submitted on the grounds that the instant invention will materially contribute to the development or conservation of energy resources as set forth in 37 C.F.R. § 1.102(c). The basis for the petition is to obtain special status for this application so that it receives expedited prosecution.

MPEP § 708.02 VI provides that "[t]he U.S. Patent and Trademark Office will, on petition, accord "special" status to all patent applications for inventions which materially contribute to (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources."

Atty. Dkt. No. 029319-0201

Statement of explanation under 37 C.F.R. 1.102

The instant invention provides heat reflective compositions and methods of promoting energy conservation. As described in Example 3 (specification paragraphs [0066] – [0070],) heat reflective wall paints of the instant invention require a lower cooling energy than conventional paints of the same color. Anticipated savings have been modeled in two test environments, Los Angeles and Miami (specification paragraph [0070],) and found to afford significant savings. Accordingly, the instant invention provides immediate and significant savings in energy consumption due to reduction in associated cooling and fan costs.

Applicants believe they have satisfied all of the requirements for this patent application to be granted special status. Granting this petition is earnestly solicited.

It is believed that no fee is due for the instant petition, however, should a fee be required, the PTO is authorized to charge the Deposit Account No. 50-0872.

Respectfully submitted,

Date November 11, 2005By Steven C. Koerber

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6725
Facsimile: (858) 792-6773

Steven C. Koerber
Patent Agent
Registration No. 54,233 for
Richard J. Warburg
Registration No. 32,327
Attorney for Applicants